**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

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**WRIT PETITION No.14928 of 2002**

Between:

Andhra Loyela College (Autonomous), Vijayawada,

represented by its Correspondent Father Dr. Louis Xavier SJ.

..... PETITIONER

AND

1. Government of Andhra Pradesh, represented by its Secretary,

Higher Education (E.C.I) Department, Secretariat, Hyderabad.

2. Nagarjuna University, represented by its Registrar,

Nagarjuna Nagar.

3. Government of A.P. rep. by its Secretary, Minorities Welfare

Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to examine the records relating to No.NU/Affil/MC/ICET/2002 dated 18.7.2002 and also Memo. No.13111/EC.1/2001-4 dated 9.11.2001 of the 1st respondent, declare that the two proceedings run contrary to Sec.4(2) of the Act, 5 of 83, G.O. Ms. No.150 M.W, Department dated 11.8.2000 and also Article 30 (1) of the Constitution of India

and consequently issue a Writ of Mandamus, or any other appropriate Writ, order or direction, forbearing the respondents from enforcing Memo. No.13111/E.C.I/2001-4 dated 9.11.2001 and NU/Affil/MC/ICET/2002 dated 18.7.2002 against the petitioner institution.

**Counsel for the Petitioner: MR.RAMA RAO PHILKHANA**

**Counsel for the Respondent Nos.1 and 3: GP FOR HIGHER EDUCATION**

**Counsel for the Respondent No.2: None appeared**

**The Court made the following:**

ORDER:

The petitioner college assailed the letter dated 18.7.2002 issued by the Deputy Registrar of the second respondent University. By impugned letter, the second respondent informed all the minority colleges having MBA and MCA courses requesting to furnish details of unfilled seats to the Convenor after admitting candidates against the minority quota seats. This Court passed interim orders on 06.9.2002 in WPMP No.18668 of 2002 in the following terms:

> Pending further orders in the writ petition, the petitioner-college can fill up the left over seats in M.B.A & M.C.A course strictly in accordance with G.O. Ms. No.150, Minorities Welfare (M & R) department dt.11.8.2000 and forward the list of admitted candidates to the Minority Welfare Department by marking a copy to the Government. On forwarding of such list, the third respondent shall pass necessary orders, as Govt's Memo. No.13111/E.C1/2001-4 dt.9.11.2001, *prima facie*, is not a general direction and is confined only to one Don Bosco Educational Society as a clarification, and approval / disapproval of the said list may be intimated to the Petitioner-college within one week from the date of receipt of such list with reasons.

The petitioner does not make out any grievance insofar as following the rules in G.O. Ms. No.150 dated 11.8.2001. Indeed the learned Counsel for petitioner college submits that the petitioner college has already made admissions for the academic year 2002-2003 in accordance with G.O. Ms. No.150 and those admissions were already approved by the competent authority. In that view of the matter nothing survives in this writ petition.

The writ petition is accordingly disposed of, in terms of the interim order.

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October 27, 2004. **V.V.S. RAO, J**

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To

1. The Secretary, Higher Education (E.C.I) Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.

2. The Registrar, Nagarjuna University, Nagarjuna Nagar.

3. The Secretary, Minorities Welfare Department,

Government of Andhra Pradesh, Secretariat, Hyderabad.

4. Two CCs to the Government Pleader for Higher Education,

High Court Buildings, Hyderabad (O.U.T).

5. Two C.D. Copies.